

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:15-cv-00029-MR-DLH

RAYMOND V. BOWERS,

)

Plaintiff,

)

vs.

)

O R D E R

NORTHERN TWO CAYES COMPANY
LIMITED and LIGHTHOUSE REEF
RESORT LTD.,

)

Defendants.

)

THIS MATTER is before the Court on the Plaintiff's Request for Entry of Default [Doc. 11].

The Plaintiff initiated this action against the Defendant Northern Two Cayes Company Limited and Lighthouse Reef Resort Limited on February 12, 2015. [Doc. 1]. On April 9, 2015, the Plaintiff filed a motion for entry of default, asserting that the Defendants were served with process on March 16, 2015 and have failed to appear or otherwise defend.

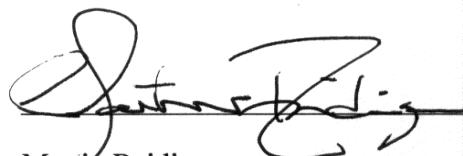
While the motion for entry of default has been pending, counsel has made an appearance on behalf of the Defendants and has filed a motion to

dismiss this action. [Doc. 12]. It is noted that the appearance on behalf of the Defendants has been made by the attorney upon whom the Plaintiff served his Motion for Entry of Default (as shown on his certificate of service). Obviously Plaintiff was aware that the Defendants were represented and by whom, but did not signify to the Court that he had consulted with such counsel regarding his motion. As the Defendants have appeared and clearly seek to defend this action, the Court concludes that the Plaintiff's request for entry of default should be denied.

IT IS, THEREFORE, ORDERED that the Plaintiff's Request for Entry of Default [Doc. 11] is **DENIED**.

IT IS SO ORDERED.

Signed: April 17, 2015



Martin Reidinger
United States District Judge

